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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/694,693	10/27/2003	James W. Brown	SP03-130	3686
22928	7590	08/05/2005	EXAMINER	
CORNING INCORPORATED			RACHUBA, MAURINA T	
SP-TI-3-1			ART UNIT	
CORNING, NY 14831			PAPER NUMBER	
			3723	

DATE MAILED: 08/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/694,693

Applicant(s)

BROWN ET AL.

Examiner

M Rachuba

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 27 May 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) 4,13 and 18-20 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,5-11 and 14 is/are rejected.
- 7) ☒ Claim(s) 3,12,16 and 17 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 10/27/03, 2/26/04, & 4/25/05
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Information Disclosure Statement***

1. The information disclosure statements (IDS) submitted on 27 October 2003, 26 February 2004 and 25 April 2005 have been considered by the examiner. Initialed copies are included with this Office action.

### ***Election/Restrictions***

2. Applicant's election without traverse of species 1 in the reply filed on 27 May 2005 is acknowledged.

3. Claims 4, 13 and 18 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected species, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 27 May 2005.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1, 5-10 and 14 are rejected under 35 U.S.C. 102(b) as being anticipated by Gazca-Ortiz et al, US006196902B1. Please refer to figures 1 and 3 and their descriptions. '902 discloses an apparatus and method for its use, including an encapsulation device, figure 3; a processing device; the encapsulation device substantially prevents particles and other contaminants generated when the processing device processes the edge of the material from reaching the two surfaces of the

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material located on a second side of the encapsulation device. The processing device is capable of grinding or polishing the edge of the material. The processing device includes a shroud box in which the particles and other contaminants are contained and evacuated from while processing the edge of the material. The material is a glass sheet.

6. Claim 15 is rejected under 35 U.S.C. 102(b) as being clearly anticipated by McMaster et al, 3,332,759, please refer especially to figure 10 and its description. Note that in treating the glass as it moves through the encapsulation device of figure 10, all surfaces are being processed by the furnace and blast head, including the edge surfaces of the glass panel. Further, plates 69 and 70, having openings for producing air flow, are considered porous.

***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to

consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

9. Claims 2 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gazca-Ortiz et al, US006196902B1 in view of McMaster et al, 3,332,759. '902 discloses providing water to support and cool the workpiece, with a vacuum in the shroud opposite the working area. '902 does not disclose that the fluid is air. '759, in a device for processing glass sheets, teaches using air to support the workpiece on both sides as it is being processed. It would have been obvious to one of ordinary skill to have provided '902 with the air flow of '759 in lieu of the water flow, to support the workpiece during processing, preventing damage to the surface of the glass as it is transported through the processing area, see columns 14, lines 40 through columns 16, lines 37.

***Allowable Subject Matter***

10. Claims 3, 12, 16 and 17 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

11. The following is a statement of reasons for the indication of allowable subject matter: The prior art of record does not disclose or fairly teach the use of guide wheels combined with an encapsulation device for supporting two surfaces of the material, a processing device for processing the edge adjacent to the supported two surfaces of the material that is located on a first side of the encapsulation device, the encapsulation device substantially prevents particles and other contaminants generated when the

processing device processes the edge of the material from reaching the two surfaces of the material located on a second side of the encapsulation device; the encapsulation device includes: a support plate; a pair of porous plates supported by the support plate and pressurized by air received from the support plate which flows through the porous plates and supports the two surfaces of the material within a gap between the porous plates, wherein the pressurized air emitted from the porous plates substantially prevents particles and other contaminants generated when the processing device processes the edge of the material from reaching the two surfaces of the material located on the second side of the encapsulation device. Neither '902 nor '759 teach a guide device to guide the workpiece through the encapsulation device.

### ***Conclusion***

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Other similar processing devices are cited of interest.

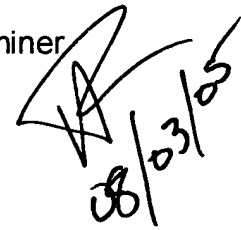
13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to M Rachuba whose telephone number is 571-272-4493. The examiner can normally be reached on Monday-Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Hail can be reached on 571-272-4485. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

M Rachuba  
Primary Examiner  
Art Unit 3723

Handwritten signature and date. The signature is a stylized 'A' with a checkmark. The date is '08/03/05'.